

State of Ohio)
) SS: **AFFIDAVIT**
County of Tuscarawas)

I, John D'Angelo and first being duly sworn, state under penalty of law that the following is true:

1. On July 2, 2018 I arrived in Medina County, Ohio from Georgia.
2. On July 3, 2018 I checked-in to a Motel 6 in Middleburg Heights (Cuyahoga County), located at 7219 Engle Road, Middleburg Heights 44130.
3. I stayed in the Motel 6 with his two adult dogs and ten puppies.
4. My adult dogs are, 1) named Dazey, who is three years old, and 2) Sasquatch, who is a year old.
5. Dazey is the mother of the ten puppies.
6. Dazey is my Certified Service Animal.¹
7. I have a mental impairment that substantially limits one or more of his major life activities.
8. On July 4, 2018 the Middleburg Heights police arrived at the hotel room I was staying at due to the fact that friends who were visiting with me had removed the smoke alarm in the room so they could smoke cigarettes. At the time of the removal of the smoke alarm, I was not in the room, but had gone to run an errand.
9. Nothing further occurred with the police during that incident.
10. At about 9:00 a.m. the next morning, July 5, 2018, while I was still sleeping, a knock was heard at the door of my hotel room.

¹ Exhibit A (three pages).

11. I opened the door and Defendant Takacs, the Animal Control Officer for Middleburg Heights, Ohio, along with another unknown City employee was standing at the door.

12. During the conversation with Tackacs and the unknown City employee, some people ("Jesus people") arrived to observe apparently from another hotel room.

13. Tackacs told me that I "need to leave and go to the farm with the Jesus people."

14. I told Takacs that I did not want to go to the Jesus people's Christian farm in New York and that due to my PTSD and having them in the room cornering and reprimanding him, it made me feel uneasy.

15. I asked Takacs and the other unknown City employee to leave, however they did not.

16. Takacs told me that they could take my dogs because I did not have County Dog Tags.

17. Again, Takacs told me that because I did not have dog tags they could take my dogs, but Takacs said "they were not going to take my dogs since they saw that [D'Angelo] was taking good care of them."

18. Takacs and the other city employee then left the room, and immediately pulled into the '5 Guys Burger' restaurant adjacent to the hotel, and sat there in their vehicles.

19. After they left the room, I decided to leave the hotel with my dogs, as soon as possible.

20. I arranged a ride, and was loading up my property into the vehicle, Animal Control swooped in from a '5 Guys Burger' restaurant, which was adjacent to the hotel.

21. The police also swooped in from another location.

22. As I was attempting to load my property into the vehicle, Takacs told me that she was issuing me a citation for failure to register his dogs, and that I needed to sign the citation.

23. I refused to sign the citation.

24. I was not given a citation at any time, and as of the date of the filing of this Complaint, I have not been issued a citation.

25. I attempted to put my dogs in the car, and at that point Takacs told me they were taking my dogs and told me that there was nothing I could do about it.

26. At that point, I told Takacs, and the other persons there, that had money to pay for the registration.

27. Steinmetz responded we are taking the dogs.

28. As set forth in the video, Exhibit A, I I protested this illegal seizure, and informed Takacs and Steinmetz that Dazey (the dog with the puppies) could bite him. This occurred at they were beginning to remove the puppies.

29. Steinmetz responded and said "I'll shoot her."

30. Steinmetz, Takacs, and the unidentified city employee took the dogs into their vehicles and left.

31. At no time have Defendants ever provided me notice of how to redeem his dogs, or even provided a location of the dogs.

32. The only information I was provided was a business card of Takacs and a business card of Officer Steinmetz.

33. I telephoned Takacs at least three times since my dogs were taken.

34. My dogs have been retained by Defendants for five days, and I have no way of finding them, visiting them, and have no ability to engage in a process to redeem them from the Defendants.

35. I personally took the video, which has been presented as Exhibit A.

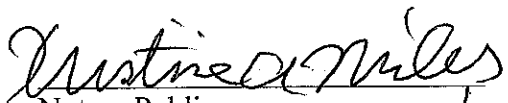
36. Exhibit B is the certified service dog registration for my dog Dazey.

FURTHER AFFIANT SAYETH NAUGHT.


JOHN D'ANGELO

JOHN D'ANGELO, appeared before me a Notary Public, and swore that the facts in this affidavit were based upon her personal knowledge and were true.

Sworn to before me and subscribed in my presence this 10th day of July, 2018.


Notary Public
My commission expires: 12/03/2022



KRISTINE A. MILES
Notary Public, State of Ohio
My Comm. Expires 12/03/2022
Recorded in Stark County

United States District Court

NORTHERN DISTRICT OF OHIO

John D'Angelo, Plaintiff

v.

Laura Takacs, et. al, Defendant(s)APPLICATION TO PROCEED WITHOUT
PREPAYMENT OF FEES AND AFFIDAVIT

CASE NUMBER:

JUDGE:

I, John D'Angelo, swear or affirm under penalty of perjury that I am the (check appropriate box)

petitioner/plaintiff/movant



other

in the above-named proceeding, that I am unable to pay the costs of these proceedings, and that I believe I am entitled to the relief sought in the complaint/petition/motion. I further swear or affirm under penalty of perjury under United States laws that my answers on this form and any attachments are true and correct.

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0", "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name and the question number.

NOTE: You should be prepared to provide the Court with copies of documents that support or verify all of your answers to the questions in this application. A PRISONER seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional office showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, attach one certified statement of each account. (Prisoner Financial Application available at <http://www.ohnd.uscourts.gov/home/pro-se-information/>)

Signed: Date: 7/10/2018Print your Name: John D'Angelo

1. State the address of your legal residence. (If incarcerated, state the place of incarceration and prisoner ID number.)

1052 Metcalf Street, Escondido, CA 92026Your daytime phone number: (707) 599-8910

2. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, bi-weekly, quarterly, semi-annually, or annually to show the monthly rate. Use gross amounts, that is the amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$0	\$	\$0	\$
Self-employment	\$0	\$	\$0	\$
Income from real property (such as rental income)	\$0	\$	\$0	\$
Interest and dividends	\$0	\$	\$0	\$
Gifts or inheritance	\$0	\$	\$0	\$
Alimony	\$0	\$	\$0	\$
Child support	\$0	\$	\$0	\$
Retirement (such as social security, pensions, annuities, insurance)	\$0	\$	\$0	\$

Disability (such as Social Security, insurance payments)	\$0	\$	\$0	\$
Unemployment benefits	\$0	\$	\$0	\$
Public assistance (such as welfare)	\$194	\$	\$194	\$
Other (specify) Medi Cal	\$0	\$	\$0	\$
Total Monthly Income	\$194	\$0	\$194	\$0

3. Are you currently employed? ☐ Yes ☒ No

Is your spouse currently employed? ☒ Yes ☐ No **N/A**

If incarcerated: Are you currently employed by jail/prison/correctional facility? ☐ Yes ☒ No

Do you receive payment from the jail/prison/correctional facility? ☐ Yes ☒ No

4. List your employment history, current or, if you are not currently employed, most recent employer first. (Gross monthly pay is calculated before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay
N/A			\$
			\$
			\$

5. List your spouse's employment history, current or, if your spouse is not currently employed, most recent employer first. (Gross monthly pay is calculated before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay
N/A			\$
			\$
			\$

6. How much cash do you and your spouse have? \$ **0**

Below, state any money you or your spouse have in checking or savings accounts or in any other financial institution. If incarcerated, also include your prisoner accounts.

Financial Institution	Type of Account	Amount You Have	Amount Your Spouse Has
		\$	\$
		\$	\$
		\$	\$

7. List the assets, and their values, that you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Asset	Description	Value
a. Home	NONE	\$
b. Real Estate	NONE	\$
c. Motor Vehicle	Make and Year: Model: Registration #: NONE	\$
d. Motor Vehicle	Make and Year: Model: Registration #: NONE	\$
e. Other Assets (for example, stocks, bonds, securities or other financial instruments)	NONE	\$
f. Other Assets	NONE	\$

8. State every person, business or organization owing you or your spouse money, and the amount owed,

Who owes you or your spouse money?	Amount owed to you	Amount owed to your spouse
a. <i>None</i>	\$	\$
b.	\$	\$
c.	\$	\$
d.	\$	\$

9. State the persons who rely on you or your spouse for support.

Name (Initials Only for Minor Children)	Relationship	Age	Amount Contributed Monthly for His/Her Support
a. <i>None</i>			\$
b.			\$
c.			\$
d.			\$

10. Estimate your average monthly expenses. Show separately the amounts paid by your spouse. Adjust any amount that was received weekly, bi-weekly, quarterly, semi-annually, or annually to show the monthly rate.

Expense	You	Spouse
Rent or home mortgage payment (include lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <i>0</i>	\$ <i>N/A</i>
Utilities (electricity, heating fuel, water, sewer, telephone)	\$ <i>0</i>	\$
Home maintenance (repairs and upkeep)	\$ <i>0</i>	\$
Food	\$ <i>194</i>	\$ <i>N/A</i>
Clothing	\$ <i>0</i>	\$
Laundry and dry cleaning	\$ <i>0</i>	\$
Medical and dental expenses	\$ <i>Med cal</i>	\$
Transportation (not including motor vehicle payments)	\$ <i>0</i>	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ <i>0</i>	\$
Total Monthly Insurance (not deducted from wages or included in mortgage payments)	\$ <i>0</i>	\$ <i>0</i>
Homeowner's or renters:	\$ <i>0</i>	\$
Life:	\$	\$
Health:	\$	\$
Motor Vehicle:	\$	\$
Other:	\$	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ <i>0</i>	\$

Installment payments Motor Vehicle: Credit Card(s) (name): Department Store(s) (name): Other: _____	\$ \$ \$ \$	\$ \$ \$ \$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for the operation of business, profession, or farm (attach detailed statement)	\$ 0	\$
Other (specify):	\$ 0	\$
TOTAL MONTHLY EXPENSES:	\$ 194	\$0

11. Do you expect any major changes to your or your spouse's monthly income or expenses, or in your or your spouse's assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

12. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?

☒ Yes ☐ No

If yes, how much? \$ 3,000

If yes, state the attorney's name, address and telephone number:

Michela Huth, PO Box 17, Bolivar, Ohio 44612 Ph: 330 440 4027

13. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or typist) any money for services with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \$

If yes, state the person's name, address and telephone number:

14. Provide any other information that will help explain why you cannot, or cannot without undue hardship, pay the fees or costs for this case.

I have a diagnosed Tramumatic Brain Injury (TBI). I had a certified service dog, until he was seized by Defendants.